

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA**

IN RE BARD IVC FILTERS  
PRODUCTS LIABILITY LITIGATION

This Document Relates to Plaintiff Aldon  
Lulie, 2:17-cv-00193-DGC

No. MD-15-02641-PHX-DGC

**PLAINTIFF'S UNOPPOSED MOTION TO SUBSTITUTE PARTY  
AND AMEND THE COMPLAINT**

10 Plaintiff Aldona Lulie, by and through undersigned counsel, and pursuant to FRCP  
11 25(a) and 15(a)(2) hereby move the Court to substitute Jerald Lulie, Expected  
12 Administrator of the Estate of Aldona Lulie, as Plaintiff by way of an Amended Short  
13 Form Complaint in the form attached hereto as Exhibit 1, and in support, states as  
14 follows:

1. Plaintiff Aldona Lulie was implanted with a Bard IVC Filter and subsequently discovered her injuries in 2017. Plaintiff retained undersigned counsel, who filed a Complaint on her behalf against the Defendants for Aldona Lulie's IVC Filter-related injuries.
  2. Plaintiff Aldona Lulie unexpectedly passed away March 6, 2017.
  3. Plaintiff's counsel recently learned of Mrs. Lulie's passing.
  4. Jerald Lulie is the Expected Administrator of the Estate of Aldona Lulie.
  5. Federal Rule of Civil Procedure 25(a)(1) provides that "if a party dies and the claim is not extinguished, the court may order substitution of the proper party. A

motion for substitution may be made by any party or by the decedent's successor or representative.”



WHEREFORE, Plaintiff respectfully requests that this Court grant Plaintiff's Unopposed Motion to Substitute Party and Amend the Complaint and order the Clerk to file the Amended Short Form Complaint, attached hereto as Exhibit 1.

DATED: 08/02/2018

Respectfully Submitted,

/s/ Marlene J. Goldenberg  
Stuart L. Goldenberg (*pro hac vice*)  
Marlene J. Goldenberg (*pro hac vice*)  
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